

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MOHAMED A. EL-TABECH,	)	4:04CV3231
	)	
Plaintiff,	)	
	)	ORDER
vs.	)	
	)	
HAROLD W. CLARKE, ET AL.,	)	
	)	
Defendants.	)	

Pursuant to a stipulation of the parties (#121) filed with this Court and for good cause shown,

**IT IS HEREBY ORDERED:** that the files of the State of Nebraska Department of Correctional Services (DCS) concerning Mohamed A. El-Tabech, #36752 and maintained pursuant to Neb. Rev. Stat. § 83-178 (1994), be made available for inspection by Gene Summerlin, Marnie Jensen, and Justin Firestone, Attorneys at Law, of Ogborn, Summerlin & Ogborn, P.C., under the following conditions:

1. That the inspection of the files in question be conducted by counsel at the DCS institution which currently maintains said files.
2. That any copies of material from said files desired by counsel be identified by counsel to institutional personnel whose responsibility it shall be to create and deliver to counsel the requested copies within a reasonable time following the request. This order does not encompass any pre-sentence reports which may be in the inmate file and requests for copies of such documents must be obtained by court order from the court which requested the report.

3. That the reasonable cost of the copies requested by counsel shall be paid by counsel directly to the DCS institution creating and delivering said copies.

4. That counsel shall not make available to any person committed to DCS the content of the files here in question without further order of this Court.

5. The entry into this Stipulation by the parties in no way relieves either party from complying with the Federal Rules of Civil Procedure.

Dated this 28<sup>th</sup> day of September 2006.

BY THE COURT:

s/ F. A. Gossett  
United States Magistrate Judge